

**SEPARATE STATEMENT OF
CHAIRMAN MICHAEL K. POWELL**

Re: Modification of Parts 2 and 15 of the Commission's Rules for Unlicensed Devices and Equipment Approval (ET Docket No. 03-201) Report and Order (Adopted July 8, 2004).

Today's Order furthers the Commission's goals to increase spectrum flexibility, promote spectrum efficiency and foster technological innovation. These rules affect nearly every American household. Use of unlicensed devices such as cordless phones, computers, wireless baby monitors and garage door openers have increased significantly in recent years. By creating greater flexibility in our technical rules for unlicensed devices we will encourage and facilitate an environment that stimulates investment and innovation in broadband technology and services. These changes also remove unnecessary regulatory encumbrances that hamper the deployment of advanced technologies for unlicensed wireless networking.

Newly-authorized smart antennas provide for increased spectrum efficiency because they allow for greater re-use of the same radio frequencies. They also will allow Wireless Internet Service Providers to pattern their coverage areas in a way that will best suit the needs of their customers in both rural and high-density areas.

In addition to the changes made to the rules involving advanced antenna technology, today's Order also makes several amendments that will give greater flexibility in the use of unlicensed devices. Modification to the replacement antenna requirements, accommodations for the marketing of separate power amplifiers to complete system upgrades, and harmonization of the measurement procedures for digital modulation devices will all help to create a more streamlined and efficient use of the spectrum for unlicensed devices.

Overall, the amendments adopted today will help to ensure that as our homes and lives become more dependent on new unlicensed technologies, these technologies will continue to serve in the most efficient and helpful way possible.